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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/588,663

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Rainer Reichenbach

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JORDAN AND HAMBURG LLP
122 EAST 42ND STREET
SUITE 4000
NEW YORK, NY 10168

EXAMINER

MITCHELL, JOHN-PAUL N

ART UNIT

PAPER NUMBER

3652

MAIL DATE

DELIVERY MODE

09/05/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/588,663	Applicant(s) REICHENBACH, RAINER	
	Examiner John-Paul N. Mitchell	Art Unit 3652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>20060807</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 6-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 6 contains extensive functional language that does not hold patentable sway over the claimed material. One suggested fix is "A transporting apparatus for transporting workpieces through processing stations, the transporting apparatus comprising: at least one articulated arm, each said articulated arm comprising first and second arm components, a longitudinal cross member, a carriage," etc.

Claim 9 recites the limitation "said transverse cross member" in lines 1-5 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 6, 9, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Liljengren et al. (US Patent 5,520,502). Liljengren et al. disclose a work piece transporting apparatus comprising:

at least one articulated arm (Fig. 2, 19) with a first (24) and second (29) arm components connected together by an articulation (proximate 22), a longitudinal cross member (5), a carriage (9), a pivot drive (23), a drive (21) for horizontal movement, and a lift drive (col. 3, ln. 27-29);

a rotatable transverse cross member (Fig. 2, 27) and a drive (25) for rotating;

a work piece holder (33) mounted on an articulated arm with a respective drive (38) for moving the holder.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liljengren et al. Liljengren et al. teach a work piece transporting apparatus as recited above, and further teach:

a pivotable transverse cross member (Fig. 2, 27), a drive (proximate 50) for pivoting the transverse cross member, rollers (30 and 31), and a chain or belt (32).

Art Unit: 3652

While Liljengren et al. do not specifically teach a "toothed wheel," it would have been obvious, at the time of invention, to a person having ordinary skill in the art to provide the rollers with teeth to augment movement of the attached chain in order to increase the precision and control of the chain's movement.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liljengren et al. in view of Bacchi et al. (US Patent 6,275,748 B1). Liljengren et al. teach the work piece transporting apparatus as recited above, but fails to teach wherein two articulated arms are arranged as mirror images of each other. Bacchi et al. teaches:

two articulated arms (Fig. 17) arranged as mirror images each of the other, with a respective pivot drive (proximate 365L and -R) for each arm.

At the time of invention, it would have been obvious to a person having ordinary skill in the art to combine the above teachings in order to increase the efficiency and production capability of the apparatus.

Conclusion

The prior art made of record and not relied upon, but considered pertinent to applicant's disclosure, includes: Stuyt (2005), Otaguro et al. (2004), Spatafora (2003), Grover et al. (2003), Genov et al. (2002), Cohen et al. (2001), Barry (2000), Ohtomi (1992), Schmidt et al. (2001), Terpstra (2002), Harsch et al. (2005), Bennington (1990), Ajlouny (1975), and Harsch et al. (1996).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John-Paul N. Mitchell whose telephone number is (571) 270-5226. The examiner can normally be reached on 5/4/9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saul Rodriguez can be reached on (571)272-7097. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Saúl J. Rodríguez/
Supervisory Patent Examiner, Art
Unit 3652

J-PNM